



Wales Committee for the Community Legal Service

Annual Report 2009

Community
Legal Service



Gwasanaeth
Cyfreithiol
Cymunedol



Annual Report for Wales Committee for the Community Legal Service (CLS) April 2009

Introduction

The Wales Committee for the CLS has a remit to strengthen and improve the delivery of the Community Legal Service in Wales and it strives to achieve this through bringing together the key civil justice stakeholders in Wales.

A key area of focus for the Committee is in identifying how changes in political structures, the law and social policy in Wales will impact on the delivery of legal advice services. Thereby enabling member organisations to plan ahead for the impact of these changes and for their reflection in the design of policy and services. The Committee is keen to drive forward and facilitate a joined up approach to public services to meet the needs of the people of Wales, and to provide a platform where Welsh people can have a voice in the development of the Community Legal Service.

The Wales Committee for the CLS marked its second anniversary in March 2009, with a timely review and debate on the challenges presented by devolution and the delivery of civil justice in Wales. This report reflects the focus of the Committee over the past twelve months and the progress that has been made towards delivering the overarching objectives outlined in "Making Legal Rights a Reality in Wales".

Key themes for 2008/09

During the course of the year the Committee has debated a number of key themes, which are critical to taking forward the delivery of policies and initiatives for public services in Wales. Primarily these discussions focussed on Citizen Centred services within the context of 'Making the Connections' and the wider issue of Devolution. In addition there has been the opportunity for a number of Committee member organisations to work together on an initiative to widen access to legal and advice services within Wales.

Devolution

During the course of the year, the Committee reflected on the impact that the Government in Wales Act 2006 has had, and could potentially have across Wales and the challenges this presents. In particular, Committee members with a remit of operating across England and Wales recognised that early identification of such issues would be critical in order to plan and respond to any legislative, regulatory or policy variation.

As part of understanding how priorities may differ in Wales, the Committee invited key speakers to present and discuss their areas of expertise and interest, which would have a potential impact on legal and advice services for the people in Wales. This included the Older People's Commission, in order to understand the priorities for first appointed Commissioner for Older People, and the Constitutional Affairs & Legislation Management (CALM) section of the Welsh Assembly Government.

Citizen Centred Services

Aspiring to delivering citizen centred public services remains a top priority when planning and designing legal and advice services. The ability for citizen's voices to be heard and built into commissioning processes and the practicalities of embedding this activity has been considered within the context of the plans outlined for joint commissioning of Community Legal Advice Networks in Wales.

Citizens Voice in Joint Commissioning – Community Legal Advice Networks (CLANs)

Representatives from the Legal Services Commission, Wales Council for Voluntary Action and SOLACE Wales have taken forward discussions during the course of the year to consider a model for building citizens voices into joint commissioning processes. The focus of the discussions centred on the plans to jointly commission Community Legal Advice Networks between the Legal Services Commission, Local Government and the Welsh Assembly Government. A proposed process was identified whereby local Council's for Voluntary Services could become involved in the tender process. The key aspects to their involvement focussed on the design stage of service specifications and during the selection process. However, it was widely recognised and acknowledged that each individual local authority would have its own views and democratic processes to be followed before any single proposal was agreed. Therefore as agreement is established for joint commissioning across Wales, local authorities will be asked to consider how they may wish to incorporate building citizen voice into the process and whether the model identified offers an effective solution for doing so.

Joint Working

During the past year, the National Offender Management Service (NOMS) Cymru and Legal Services Commission worked together to address one of the key priorities of reducing re-offending in Wales. It is acknowledged that many prisoners have problems with finance, benefit and debt issues, that can be related or unrelated to their offending and if these problems remain unresolved, the likelihood of re-offending is increased.

The Legal Services Commission and NOMS Cymru have now successfully tendered for a face-to-face debt advice service for clients in prison establishments in Wales. The service in Wales funded through the Financial Inclusion Fund and Legal Services Commission has led the way for similar work to be undertaken across a number of NOMS regions in England.

The contracts have been awarded to cover Cardiff, Swansea, Usk & Prescoed and Parc Prisons. All surgeries are now up and running and early feedback from prison staff, clients and advice providers is positive.

As part of the Community Justice project scheme in Merthyr Tydfil, the Legal Services Commission has worked with Her Majesty's Courts Service (HMCS) to support the provision of legal advice to vulnerable defendants. This has involved supporting the problem-solving element of the project, where HMCS and other agencies work to ensure that problems in the lives of defendants

are tackled with a view to reducing the chances of them re-offending in the future.

Joint Commissioning Progress

During the past twelve months the Legal Services Commission, Welsh Assembly Government and local authorities in Wales have been in discussion, and have taken action to explore the joint commissioning of Community Legal Advice Networks.

In March 2008, an open meeting was held for stakeholders in Cardiff, Vale of Glamorgan and Bridgend to discuss the planned exploratory process. A second meeting was held in September to consult upon a draft service specification, prior to a final proposed specification being published in November. Discussions began with the six local authorities across North Wales and are ongoing.

The Welsh Assembly Government has now commissioned a feasibility study with the objective of establishing whether there could be an alternative advice services model for local authority and Assembly Government funding that would meet the aims of "Making Legal Rights a Reality in Wales" without compromising the future of third sector providers. Once the study reports, it is anticipated that the joint commissioning process can move forward over the forthcoming year.

National Eisteddfod 2008

Members of the Wales Committee were invited to attend the launch of the Justice Wales Network held on the Justice Wales stand at the National Eisteddfod in Cardiff on Wednesday 6th August 2008. Tom Jones, Chair of the Wales Committee for the CLS, opened the event and Mr Justice David Lloyd Jones formally launched the network ahead of an address by the Counsel General, Carwyn Jones AM.

Citizen Engagement

The Committee dedicated its annual client focussed meeting to seeking a greater understanding of the specific advice needs of young people. A short summary of the event can be found on page 4.

In the months leading up to the meeting, an engagement exercise was undertaken through the use of a short questionnaire, seeking to obtain the views of particular groups of young people across Wales. The groups included students, young offenders and members of Urdd - a Welsh youth movement organisation. The questionnaire focussed on gathering views regarding problems that had been experienced, action that had been taken to resolve any problem, sources of help sought and preferences for seeking help in the future. A summary report of the findings of the engagement process can be located on the Wales pages of the Legal Services Commission's website.

Legal Services Commission - Client Engagement Strategy

The Legal Services Commission is currently in the process of developing a Client Engagement Strategy. The annual client engagement activity that will be undertaken by the Wales Committee will be reflected within the framework of this document and will therefore be considered as part of the future work of the Legal Services Commission.

Schedule of Meetings – 2008/09

6th June 2008 – The Galeri, Caernarfon (Provider focussed meeting)

Members of the CLS Independent Advice Services Forum were invited to a meeting with the Wales Committee held in Caernarfon. Members of the Forum were asked to identify and invite a number of face-to-face providers to engage and input into the meeting.

Presentations and discussion points

- The Welsh Assembly Government outlined the progress that had been made in developing its Financial Inclusion Strategy.
- The Legal Services Commission provided an overview regarding the developments and services offered by the Community Legal Advice telephone and web service.
- The Legal Services Commission and Welsh Assembly Government led a discussion regarding the progress towards delivering Making Legal Rights A Reality in Wales and progress towards joint commissioning.

12th September 2008 – Local Government Data Unit, Cardiff

The Wales Committee welcomed a new member to its September meeting. Eleanor Williams had recently been appointed as the Legal Director at the Equality and Human Rights Commission and would represent the Commission at future meetings.

Presentations

- CAFCASS Cymru provided an overview of the Children and Adoption Act 2006 and the implications for the provisions within Wales.
- The Equality & Human Rights Commission provided an overview of the Equality & Human Rights Act and the priorities outlined in its Strategy document.

5th December 2008 – Citizen focussed meeting, SWALEC Stadium, Cardiff

A wide range of stakeholders attended the meeting in December, including organisations working directly with young people, some with responsibility for developing strategies and policies impacting on young people, and young people representing the Bridgend Youth Council.

Organisations involved in developing policies and strategies for young people, in addition to those working at a grass roots level were invited to a meeting with the Wales Committee. The meeting was intended to stimulate debate, share ideas and initiatives and to suggest steps to improve access to justice for young people. Youth Access provided a comprehensive view on the

existing understanding of young people's needs for advice services and generated topics for wider debate in the meeting.

Discussions focussed on:

- Is there a need for better evidence of young people's need for legal advice in Wales?
- What could mainstream legal advice service in Wales do to improve their accessibility to young people?
- Is there scope for better partnership working between mainstream advice agencies and youth organisations, and what might encourage this?
- Is there a need for Public Legal Education to be targeted at young people?

Many actions were proposed during the course of the meeting for specific Committee member organisations to take forward. Those to be taken forward are in the process of being agreed by these Committee Members and progressed over the forthcoming months. For example the Welsh Local Government Association has committed to identifying appropriate links and opportunities to inform Youth Council's in Wales in relation to Public Legal Education (PLE) and to progress these once identified. The CLS Independent Advice Forum will explore existing activity and raise awareness of local services through schools, school council's and young people partnerships, and develop local partnerships to encourage greater take up from young people.

Once the actions are finalised, a bilingual copy of the report of the meeting will be available on the Wales pages of the Legal Services Commission's website.

6th March 2009 – SWALEC Stadium, Cardiff

The Committee marked its second anniversary, at a meeting at the SWALEC Stadium in March. The recently appointed Chair of the Legal Services Commission, Sir Bill Callaghan and the new Director of Policy, Derek Hill, attended the meeting.

The meeting focussed on devolution and the governance framework in Wales stimulated by input from the Deputy Older People's Commissioner and the Constitutional Affairs & Legislation Management (CALM) section of the Welsh Assembly Government. The meeting also provided a platform for Committee members to exchange information about measures that were in development to take account of the Recession.

Presentations

- Professor Thomas Watkin provided an overview of the impact of Welsh legislative powers.
- The Deputy Older People's Commissioner, Sarah Stone provided an overview of the role of the Commissioner and the priorities being taken forward since its establishment in 2008.

What have we achieved?

The Wales Committee has facilitated the development of the CLS in Wales over the past twelve months towards the delivery of Making Legal Rights A Reality in Wales. In doing so member organisations have informed how the work moves forward.

There continues to be:

- a shared understanding of funding, policy and key partner objectives and priorities;
- a framework for engagement with citizens and service providers.

Progress has been made through the establishment of:

- a consulted and agreed service specification has been created for a Community Legal Advice Network for the Cardiff, Vale of Glamorgan and Bridgend area. Enabling each Local Government Executive the opportunity to consider the benefits and challenges involved in entering into joint commissioning and moving towards the pooling of resources for public services in line with Making the Connections;
- a proposed process has been developed for enabling citizens to have a voice in future joint commissioning process;
- a partnership initiative to deliver debt advice in prison settings to take steps towards reducing re-offending.
- a draft action plan to improve access to, and awareness of legal and advice services for young people throughout Wales.

Future Meetings

The Wales Committee is scheduled to meet on three further occasions during 2009. These meetings will take place as follows:

Friday, 5th June in Cardiff – provider focussed meeting

Friday 11th September in Cardiff

Friday 4th December in Cardiff – citizen focussed meeting

Minutes of Meetings

All minutes of meetings can be found on the Wales pages of the Legal Services Commission's website at www.legalservices.gov.uk. All minutes once published are available in Welsh. Minutes of meetings are published following approval at the next meeting.

For any queries regarding the Wales Committee for the CLS, please contact:

Tiana Williams
Wales Civil Policy Manager
Civil Policy Team
Legal Services Commission
4th Floor, Marland House
Central Square
Cardiff
CF10 1PF
02920 647162

Tiana.Williams@legalservices.gov.uk

Annex A - Wales Committee for the CLS - Terms of Reference

Terms of Reference

Purpose

1. To strengthen and improve the delivery of the Community Legal Service in Wales by bringing together key justice stakeholders.
2. To identify how changes in political structures, the law and social policy in Wales will impact on the delivery of legal advice services and plan for these impacts.
3. To identify issues arising in Wales of which the National Consultative Committee for England and Wales needs to be aware of in its discussions.
4. To facilitate the sharing of knowledge and information about:
 - a. the need for legal advice services in Wales, identifying ongoing and future programmes in this area and considering how these can be enhanced and better outcomes and value achieved by co-ordinating these activities more effectively
 - b. the current delivery of legal advice services in Wales
 - c. the providers of legal advice services in Wales.
5. To facilitate joint planning of other public services which impact on clients' legal advice needs.
6. To develop ways of addressing systemic or "root cause" issues in the delivery of public (and private) services which give rise to legal problems for clients.
7. To give the Welsh people a voice in the development of the Community Legal Service.

Indicative Membership

Representatives of:

Legal Services Commission

Welsh Assembly Government (appropriate representatives from Units within WAG)

CAFCASS Cymru

Children's Commissioner for Wales

Welsh Local Government Association

Welsh Consumer Council

Commission for Equalities and Human Rights in Wales

Her Majesty's Courts Service (HMCS)

National Offender Management Service (NOMS)

Legal Services Research Centre (LSRC)

Wales Council for Voluntary Action

CLS Independent Advice Providers Forum for Wales

SOLACE Wales

Tom Jones, a member of the Legal Services Commission, will chair the Committee. The Commission will also be represented by the Director of the Community Legal Service, representative from the LSC Civil Policy Team and by the LSC Wales Director.

Secretariat

The Commission will undertake secretariat duties for the Committee, but papers and agenda items will be sought from all represented organisations and bodies.

Meetings

The Committee will meet a minimum of four times a year at venues convenient to members. One meeting a year will include a meeting with representing providers of legal and advice services in Wales. It is proposed that this will take place through the CLS National Forum in Wales. One meeting will include a meeting with a client consultation group, which is to be established. No attendance fees will be paid to members as they will be attending as representatives of their particular organisations.

Review

Terms of Reference for the Wales Committee for the CLS will be reviewed annually.